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**RECEIVED**

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**ENERGY FACILITY SITE  
EVALUATION COUNCIL****Re: BP Cherry Point Draft Environmental Impact Statement - Comments**

Dear Mr. Fiksdal,

Below please find comments on the draft environmental impact statement (DEIS) for the BP Cherry Point Power Project. Thank you in advance for consideration of these comments.

Fact Sheet:

Page i, Abstract- This section states that BP proposes to construct and "operate" the 720 MW cogeneration facility. This is not an accurate statement. BP has actively been negotiating the sale of the facility to TransCanada. The sale appears to be imminent. The public has a right to know who will be operating this facility. Many of the environmental impacts and proposed mitigation features of this project are intricately related to operations at the BP Refinery. The sale of the Cogeneration Project has the potential to pose many questions as to the relationship that will exist between the two entities. This relationship and the impacts of sale of the project to TransCanada needs to be addressed throughout the DEIS. Accordingly, TransCanada should be referenced throughout the DEIS as the proposed operator of the facility.

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**Chapter 1 Summary****1.1 Introduction**

Paragraph 1 - See comment above regarding BP's proposed "operation" of the project.

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Paragraph 2 - This section states that 635 MW of power produced would be for "local" and regional consumption. In fact there is no guarantee whatsoever that power would be for local consumption. The Application for Site Certification (ASC) states that the power will be sold to BPA and put onto the northwest power grid. This being the case, it is not accurate to imply that the power produced will directly serve local demand.

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**1.2 .1 BP Cherry Point Refinery Need**

This section states that refinery operations require approximately 85 MW of electricity and that historically the refinery has purchased power from third parties. The section goes on to state that this reliance on third party sources has exposed the refinery to price volatility. Implied is that construction of the facility will reduce this volatility. However, if BP sells the project as anticipated, then the proposed economic incentive would seemingly disappear because BP would

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again be subject to power purchases from a third party provider. The section should acknowledge the proposed sale of the Project by BP and the impacts of the sale including potential price volatility.

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cont.**1.2.2 National and Regional Power Need**

The discussion on regional power need contains no information on supply forecast or conservation. It is not explained whether the WECC and NWPCC forecasts consider generation that is currently under construction and/or permitted within its analysis. What assumptions are made regarding conservation, renewable resources?

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**1.4.2 No Action Alternative**

This section states the environmental impacts that would be avoided if the project were not built. The section fails, however, to mention the significant greenhouse gas emissions that would be avoided if the facility were not built

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**1.6.4 BP Refinery NPDES Permit Changes**

This section states that "*Ecology, the agency with jurisdiction over this permit, would address water quality issues that have been raised for the cogeneration project such as impacts of increased salinity and temperature on the herring population, the age and condition of the existing diffuser, and potential cumulative impacts on water quality through this refinery NPDES permit revision process.*" It would seem appropriate that the water quality impacts of the Project be examined as part of this DEIS, rather than being put off for future consideration by Ecology. Accordingly the DEIS should address all of the water quality issues that have been raised.

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**1.6.7 Change of ownership of Cogeneration Project**

This section fails to provide details of the potential ownership transfer to TransCanada. Many questions regarding the change of ownership have not been addressed. When would the transfer take place? Would the relationship between the refinery and the Project plant change in any way as a result of the sale? Has BP entered, or are they prepared to enter into a long term contract with TransCanada to ensure the delivery of steam and electricity to the refinery? The section mentions only the effect that the change of ownership would have on the greenhouse gas mitigation options offered. The section should, however, address the numerous other impacts that could potentially be affected by the sale of the Project. (e.g., will the refinery NPDES permit still be utilized for the Projects waste water discharge, or will TransCanada be required to obtain a separate permit?)

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**1.8 Cumulative Impacts****Section 1.8.1 Global Warming**

This section states that is not possible to determine the actual impacts of cumulative GHG emissions on global warming. While it may not be possible to attribute the specific impacts of this facility on specific global warming conditions, there should be a statement that the cumulative operation of this and other fossil fuel fired facilities in the northwest will contribute to the worldwide impacts of global warming. Moreover, this section does not discuss the actual impacts of global warming on the Northwest. Cumulative impacts can not be ignored just

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because it is impossible to attribute regional GHG emissions to specific impacts. This section needs to be re written in a manner that objectively and scientifically addresses the global warming issue. As currently written the section offers no substance of merit..

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cont.

### 1.8.2 Regional Air Quality

In this section it states that "purchase of cogeneration steam by the refinery would likely lead to the refinery shutting down three older utility boilers (emphasis added). Many of the heralded benefits of this project have been predicated upon the belief that existing boilers at the refinery will be shutdown, thereby resulting in reduction of certain criteria pollutants. It is disconcerting to this reader that words such as "likely" continue to be used when referring to the relationship between the generation facility and the refinery. In analyzing this project and its environmental impacts it should be made crystal clear as to how the two facilities will operate and interact. If the shutdown of existing boilers is only a hypothetical possibility then, the air quality benefit of removing boilers should not be included in any discussions on regional air quality and impacts.

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### 3.2.3 Impacts of the Proposed Action Emission Sources and Emission Controls

This section states that "Anhydrous ammonia would be used in the SCR control system and some unreacted ammonia would exit the facility stack as ammonia "slip." However, this ammonia slip would be limited to 5 ppm." There is no discussion of the impact of this "ammonia slip" on health and or the environment. Is this a significant amount of ammonia slip? Why, or why not. What are the health impacts of ammonia? Are there any ways to minimize this slippage? The section should address this issue in more detail.

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### Estimate of Actual Emissions from the Cogeneration Facility Section 3.2-30

This section discusses at length the accuracy of the EPA test method for PM. The section states that, "The study concludes that the EPA test method suffers from measurement error due to the small amount of particulate sample collected from the gas turbine exhaust. The EPA method was intended to collect samples over a one-hour period, however, the research shows that gas turbine tests must be run for up to six hours to collect enough material. Based on the information contained in the GE and Sierra Research studies, the actual particulate emissions from the facility are expected to be at least 60% less than the particulate emissions measured by the EPA reference method test."

The authors of the DEIS offer no comment or opinion as to the appropriateness of the applicants' rejection of the EPA test method. Nor is there anything included in this section from EPA as to why they believe that their testing method is appropriate. Rather, the authors of this DEIS simply adopt the statements made by the applicant in the ASC on this subject without any critique. At a minimum this section should offer additional information on views other than the applicants as to the appropriateness of the existing EPA test method as well as the EPA's comments on the method proposed by the applicant. The absence of this discussion does not aid in the understanding of the environmental impacts.

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**3.2.5 Greenhouse Gas**

This section offers no discussion on impacts that global warming will have, and is already having, on the Northwest. While the exact impacts of a warmer region are not entirely known, scientists do know that certain impacts such as a decrease in snowpack, and the melting of glaciers is already occurring. The specific impacts of global warming on the Northwest should be at least minimally explored in this section.

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**3.2.6 Secondary and Cumulative Impacts****Cumulative Impact of Refinery and Cogeneration Facility Reductions**

This section states that, "[I]n combination with the removal of refinery utility boilers, the proposed cogeneration facility would result in an overall reduction in ambient concentrations of PM<sub>10</sub>. These values represent the modeled impact of primary PM<sub>10</sub> emissions. Removal of the refinery boilers resulting from steam purchase from the cogeneration facility would significantly reduce NO<sub>x</sub> emissions from the refinery, and would consequently also reduce secondary particulate in the airshed. The reduction in secondary particulate is expected to be greater than the increase in primary particulate emissions." Again, this statement is partly attributable to the rejection of the EPA test methodology on formation of PM<sub>10</sub>. EPA's testing methodology should not be so readily rejected, or in the alternative their should be a balanced critique of the existing testing methodology prior to its rejection. This section should contain additional information on secondary and cumulative impacts using the existing EPA testing methodology.

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**3.4.2 Impacts of the Proposed Action and 3.4.4 Secondary and Cumulative Impacts**

There is no discussion in either of these sections on potential water quality issues such as impacts of increased salinity and temperature on the herring population, the age and condition of the existing diffuser, and potential cumulative impacts on water quality through the refinery NPDES permit revision process. To the extent that cumulative impacts are discussed they are given a cursory review, stating only that, "The cogeneration facility would add 190 gpm of treated wastewater to the Strait of Georgia at Cherry Point, which is an increase of about 8% over the current discharge from the BP Cherry Point Refinery. Although a relatively small increase, this adds to the overall burden to water quality of the Strait of Georgia." This "discussion" does nothing more than state the obvious. Please supplement this section to address the issues raised above.

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Thank you for allowing CFE the opportunity to comment on the draft environmental impact statement.

Very truly yours,



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